

# **Metropolitan Water Reclamation District of Greater Chicago**

100 East Erie Street  
Chicago, IL 60611



## **Regular Board Meeting Minutes**

**Thursday, May 19, 2011**

**10:00 AM**

**Board Room**

### **Board of Commissioners**

*Commissioner Michael A. Alvarez, Commissioner Frank Avila, Commissioner Patricia Horton, Vice- President Barbara J. McGowan, Commissioner Kathleen Therese Meany, Chairman of Finance Cynthia M. Santos, Commissioner Debra Shore, Commissioner Mariyana T. Spyropoulos, President Terrence J. O'Brien*

#### **THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:**

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.**
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.**
- 3. Items removed from the Consent Agenda are considered separately.**
- 4. One roll call vote is taken to cover all Consent Agenda Items.**

## Call Meeting to Order

President Terrence J. O'Brien presiding, called the meeting to order at 10:00 a.m.

## Roll Call

**Present:** 8 - Michael A. Alvarez; Frank Avila; Barbara J. McGowan; Kathleen Therese Meany; Cynthia M. Santos; Debra Shore; Mariyana T. Spyropoulos; and Terrence J. O'Brien

**Absent:** 1 - Patricia Horton

## Approval of Previous Board Meeting Minutes

A motion was made by Debra Shore, seconded by Barbara J. McGowan, that the minutes from the last meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

## Recess and Reconvene as Committee of the Whole

A motion was made by Debra Shore, seconded by Barbara J. McGowan, to recess and reconvene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

## Recess and Reconvene as Board of Commissioners

At 1:05 p.m. President O'Brien reconvened the regular board meeting to order

## Finance Committee

### Report

- 1 [11-0623](#) Report on the 2010 Comprehensive Annual Financial Reports of the Metropolitan Water Reclamation District of Greater Chicago and of the Metropolitan Water Reclamation District Retiree Health Care Trust.

**Published and Filed**

### Authorization

- 2 [11-0642](#) Authority to add Project 08-170-3D Office, Shop & Storage Facility Service Tunnel Rehabilitation, Stickney Water Reclamation Plant, to the Engineering Department Capital Improvements Program and the Capital Improvements Bond Fund, estimated cost of the project is \$600,000.00

**Deleted by the Acting Executive Director**

- 3      [11-0657](#)      Recommendation to revise current Financial Policy for the treatment of interest reimbursement payments related to taxes levied for Build America Bond Issuances which was adopted on December 9, 2010
- A motion was made by Barbara J. McGowan, seconded by Frank Avila, that this Agenda Item be Approved. The motion carried by the following roll call vote:**
- Aye:**    8 -    Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien
- Absent:**   1 -    Patricia Horton

## Procurement Committee

### Report

- 4      [11-0624](#)      Report of bid opening of Tuesday, May 3, 2011
- Published and Filed**
- 5      [11-0633](#)      Report of bid opening of Tuesday, May 10, 2011
- Published and Filed**

### Authorization

- 6      [11-0625](#)      Authorization to amend Board Order of May 5, 2011, regarding authority for award Contract 11-693-11, Use of a Sanitary Landfill Site, Group A, to Waste Management of Illinois, Inc., in an amount not to exceed \$165,000.00, and Group B, to Heartland Recycling LLC, in an amount not to exceed \$100,000.00, Account 101-66000-612520, Requisition 1312052 and 1302025, Agenda Item No. 20, File No. 11-0594
- Approved**
- 7      [11-0644](#)      Authorization to participate in the National Joint Powers Alliance (NJPA) purchasing co-operative
- Approved**

### Authority to Advertise

- 8      [11-0622](#)      Authority to advertise Contract 11-962-11 Services to Apply Epoxy Floor Coating at the Stickney Water Reclamation Plant, estimated cost \$320,000.00, Account 101-69000-612680, Requisition 1316991
- Approved**

- 9      [11-0632](#)      Authority to advertise Contract 11-622-11 Furnishing, Delivering and Installing Radio Equipment at Various Service Areas, estimated cost \$33,000.00, Account 101-69000-623850, Requisition 1322642

**Approved**

**Issue Purchase Order**

- 10      [11-0626](#)      Issue purchase order and enter into an agreement with Hach Company for Preventive Maintenance of Flow Injection Analyzers at various locations, in an amount not to exceed \$27,915.00, Account 101-16000-612970, Requisition 1315925

**Approved**

- 11      [11-0629](#)      Issue purchase order for Contract 11-425-12 (Re-Bid), Furnish and Deliver Offset and Miscellaneous Specialty Paper to Various District Locations for a 36-Month Period, to BPC, in an amount not to exceed \$438,442.13, Account 101-15000-623520, Requisition 1315251

**Approved**

- 12      [11-0640](#)      Issue purchase order and enter into an agreement with the firm of Beveridge & Diamond, P.C., to represent the Metropolitan Water Reclamation District of Greater Chicago in connection with *Natural Resources Defense Council, Inc. et al. v. Metropolitan Water Reclamation District of Greater Chicago*, Case No. 11-CV-2937, in an amount not to exceed \$350,000.00, Account 101-30000-601170, Requisition 1321698 (As Revised)

**Attachments:**      [B&D P.O. Req..](#)

**Deferred by Cynthia M. Santos**

- 13      [11-0643](#)      Issue purchase order to CE Soling & Associates, LLC, to Furnish and Deliver Parts Cerlic Dissolved Oxygen Monitoring Equipment Parts for Kirie Water Reclamation Plant, in an amount not to exceed \$27,000.00, Account 101-67000-623270, Requisition 1318918

**Approved**

- 14      [11-0645](#)      Issue purchase order for Contract 11-105-11, Furnish and Deliver American Sigma Flowmeters, to Elan Technologies, Inc., in an amount not to exceed \$38,457.00, Account 101-16000-623570, Requisition 1319491

**Approved**

- 15      [11-0649](#)      Issue purchase order and enter into an agreement with the Water Environment Federation, to Provide Services for a Third-Party Verification Audit for the District's Environmental Management System (EMS) Biosolids Program, in an amount not to exceed \$64,170.00, Account 101-66000-601170, Requisition 1320369

**Approved**

**Award Contract**

- 16      [11-0627](#)      Authority to award Contract 11-847-11, Truck Hauling of Liquid Sludge from the Lemont Water Reclamation Plant to Various Locations, to Si-Tech Industries, Inc., in an amount not to exceed \$240,000.00, Account 101-68000-612520, Requisition 1314857  
**Approved**
- 17      [11-0628](#)      Authority to award Contract 11-006-11 Furnish and Deliver Janitorial Supplies to Various Locations for a One (1) Year Period, Group B, to The Standard Companies, in an amount not to exceed \$22,766.48, Accounts 101-20000-623110, 623170, 623660  
**Approved**
- 18      [11-0641](#)      Authority to award Contract 11-033-11, Furnish and Deliver Miscellaneous Air Filters to Various Locations, for a One (1) Year Period, Group A to Brucker Company, in an amount not to exceed \$23,246.52, Groups B, C and D to Progressive Industries, Inc., in an amount not to exceed \$18,806.76, Account 101-20000-623270  
**Approved**
- 19      [11-0646](#)      Authority to award Contract 11-937-11, Repair Services for AC and DC Motors at the Post Digestion Centrifuge Building at the Stickney Water Reclamation Plant, to Dreisilker Electric Motors, Inc., for an amount not to exceed \$72,330.00, Account 101-69000-612650, Requisition 1312942  
**Approved**
- 20      [11-0652](#)      Authority to award Contract 11-617-11, Maintenance and Repair Services for Switchgear, Transformers and Motors at Various Service Areas, to Magnetech Industrial Services, Inc., in an amount not to exceed \$105,000.00, Accounts 101-66000, 69000-612620, 612650, Requisitions 1312928 and 1312024  
**Approved**
- 21      [11-0653](#)      Authority to award Contract 11-697-11, Demolition of Lake River Terminal and Other Derelict Buildings on District Property in Cook County, IL, Group B, to DMD Services, Inc., in an amount not to exceed \$394,300.00, Account 901-30000-667220, Requisition 1312926  
  
**Attachments:**      [App-D.pdf](#)  
  
**Approved**

**Increase Purchase Order/Change Order**

- 22      [11-0631](#)      Authority to decrease Emergency Contract 10-700-01, to Kenny Construction Company, for repair of the West Side Sludge Line, in an amount of \$46,355.05, from an amount of \$100,000.00, to an amount not to exceed \$53,644.95, Account 901-300000-667220, Purchase Order 5001163

**Approved**

- 23      [11-0634](#)      Authority to increase Contract 08-171-3P Westside Imhoff Battery A and Skimming Tank Demolition, Stickney Water Reclamation Plant, to Sollitt/Sachi/Alworth JV, in an amount of \$83,561.00, from an amount of \$32,848,000.00, to an amount not to exceed \$32,931,561.00, Account 401-50000-645650, Purchase Order 5001182

**Approved**

- 24      [11-0635](#)      Authority to increase Contract 07-220-3P Primary Settling Tanks and Grit Removal Facilities, Calumet Water Reclamation Plant, to F.H. Paschen/S.N. Nielsen/IHC Construction Joint Venture, in an amount of \$90,832.84, from an amount of \$232,064,138.09, to an amount not to exceed \$232,154,970.93, Account 401-50000-645650, Purchase Order 5000954

**Attachments:**      [CO 07-220-3P.pdf](#)

**Approved**

- 25      [11-0636](#)      Authority to increase Contract 09-176-3P Sludge Thickening Facilities, Stickney Water Reclamation Plant to McHugh Construction, in an amount of \$185,321.97, from an amount of \$162,787,199.76, to an amount not to exceed \$162,972,521.73, Account 401-50000-645650, Purchase Order 5001115

**Attachments:**      [CO 09-176-3P.pdf](#)

**Approved**

- 26      [11-0648](#)      Authority to increase purchase order and amend the agreement with Smithamundsen LLC, for legal services in the matter of Gaweda, et al. v. MWRDGC, Case No. 10 CH 52264, in an amount of \$20,000.00, from an amount of \$35,000.00, to an amount not to exceed \$55,000.00, Account 101-11000-601170, Purchase Order 3066424

**Attachments:**      [Attachment p o 3066424.pdf](#)

**Deferred by Mariyana T. Spyropoulos**

- 27      [11-0650](#)      Authority to increase purchase order and amend the agreement with Veolia Environmental Services for debris removal at the North Side Water Reclamation Plant, in an amount of \$2,840.00, from an amount of \$8,520.00, to an amount not to exceed \$11,360.00, Account 101-67000-612520, Purchase Order 3061548

**Approved**

- 28      [11-0651](#)      Authority to decrease Contract 08-613-11 Scavenger Services at Various Locations, Group B, to Land & Lakes Company, Inc., in an amount of \$47,853.04, from an amount of \$405,000.00 to an amount not to exceed \$357,146.96, Account 101-68000-612520, Purchase Order 5000841

Attachments:      [08-613-11 B BL Auth to Decr SS.pdf](#)

Approved

## **Budget & Employment Committee**

### **Authorization**

- 29      [11-0656](#)      Authority to transfer 2011 departmental appropriations in the amount of \$1,053,000.00 in the Corporate Fund and Capital Improvements Bond Fund

Attachments:      [5.19.11 Board Transfer BF5.pdf](#)

Approved

## **Engineering Committee**

### **Authorization**

- 30      [11-0655](#)      Authority to enter into an Intergovernmental Agreement by and between the Metropolitan Water Reclamation District or Greater Chicago, and the Village of Schaumburg, for a joint construction project for the replacement of the stormwater culvert under Hammond Drive, with payment to the Village not to exceed \$153,143.05 for the District-owned portion of the culvert *(As Revised)*

Attachments:      [Culvert Exhibit.pdf](#)

Approved

## **Judiciary Committee**

### **Authorization**

- 31      [11-0630](#)      Authority to pay the settlement in the Workers' Compensation claim of Marie Ivy vs. MWRDGC, Case No. 08 WC 17781, Illinois Workers' Compensation Commission, in the sum of \$19,345.52, Account 901-30000-601090

Approved

## **Maintenance & Operations Committee**

**Reports**

- 32      [11-0647](#)      Report on change orders authorized and approved by the Director of Maintenance and Operations during the month of April, 2011.

**Attachments:**      [April - 2011.pdf](#)

*Mariyana T. Spyropoulos lifted her earlier deferral*

**Published and Filed**

**Real Estate Development Committee****Authorization**

- 33      [11-0661](#)      Authority to pay 2010 real estate taxes in the amount of \$473,791.44 for Metropolitan Water Reclamation District of Greater Chicago's real estate located in Will County, Illinois. Account 101-30000-667130
- Approved**
- 34      [11-0662](#)      Authority to pay 2010 real estate taxes in the amount of \$12,765.08 for Metropolitan Water Reclamation District of Greater Chicago's real estate located in DuPage County, Illinois. Account 101-30000-667130
- Approved**
- 35      [11-0663](#)      Authority to pay 2010 real estate taxes in the amount of \$57,714.58 for Metropolitan Water Reclamation District of Greater Chicago's real estate located in Fulton County, Illinois. Account 101-30000-667130
- Approved**
- 36      [11-0665](#)      Authority to issue a 90-day permit extension to the Palos Stars Football Association for continued use of approximately 9.25 acres of District land c/k/a Cal-Sag Atlas Parcel 8.09 located along the north bank of the Cal-Sag Channel, west of Southwest Highway, in the City of Palos Hills, to maintain and operate a "Pop Warner" League football field and associated recreational activities. Consideration shall be a nominal fee of \$10.00

**Attachments:**      [Map.Palos Stars.pdf](#)

**Approved**



- 37      [11-0666](#)      Issue orders authorizing an amendment to a 30-year lease to the Village of Mount Prospect on approximately 28.68 acres of improved District real estate located at 1326 West Central Road in Mount Prospect, Illinois, and known as Melas Park to extend the lease expiration date from May 31, 2011 to May 31, 2012. Consideration shall be a nominal fee of \$10.00. "ADOPTED AS AMENDED" Refer to File ID #11-0666A

**Attachments:**      [melas park.pdf](#)

*Mariyana T. Spyropoulos made a motion to extend the lease expiration date from May 31, 2011 to June 9, 2011. Refer to Agenda Item #43, File ID #11-0666A*

**A motion was made by Debra Shore, seconded by Barbara J. McGowan, that this Agenda Item be Approved. The motion carried by the following roll call vote:**

**Aye:**    8 -    Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Absent:**    1 -    Patricia Horton

## Miscellaneous and New Business

### Memorial Resolution

- 38      [11-0660](#)      MEMORIAL RESOLUTION sponsored by the Board of Commissioners extending sympathy and condolences to the family of Diane Jones
- Adopted**

### Ordinance

- 39      [O11-001](#)      Adopt Ordinance O11-001 An Ordinance authorizing a supplemental appropriation of \$1,280,373 for the Bond Redemption and Interest Fund, increasing the total appropriation to \$155,540,851 from \$154,260,478 for the budget year 2011.

**Attachments:**      [BTL Ordinance O11-001](#)  
                                 [O11-001 Ordinance](#)

**A motion was made by Frank Avila, seconded by Barbara J. McGowan, that this Ordinance be Adopted. The motion carried by the following roll call vote:**

**Aye:**    8 -    Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Absent:**    1 -    Patricia Horton

### Ordinance - Prevailing Wage Rate

- 40      [PWR11-001](#)      Adoption of Prevailing Wage Act Ordinance

**Attachments:**      [ORDINANCE PWR 11-001](#)  
                                 [PWR11-001\\_BTL](#)

**A motion was made by Cynthia M. Santos, seconded by Kathleen Therese Meany, that this Prevailing Wage Rate Ordinance be Adopted. The motion carried by the following roll call vote:**

**Aye:**    8 -    Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Absent:**   1 -   Patricia Horton

#### **Additional Agenda Items**

- 41      [11-0667](#)      RESOLUTION sponsored by the Board of Commissioners recognizing Mayor Richard M. Daley's twenty-two years of service as Mayor of the City of Chicago and congratulating him on his well-earned retirement

**Adopted**

- 42      [11-0668](#)      Authorization to enter into an agreement with a successful Proposer(s) for the Request for Proposal (RFP) 11-RFP-17, Supply of Electricity, Accounts 101-67000, 68000, 69000, 15000-612150

**Approved**

- 43      [11-0666A](#)      MOTION with respect to Agenda Item No. 37, File ID No. 11-0666, to issue orders authorizing an amendment to a 30-year lease to the Village of Mount Prospect

*Refer to Agenda Item #37, File ID #11-0666*

**A motion was made by Debra Shore, seconded by Barbara J. McGowan, that this Motion be Adopted. The motion carried by the following roll call vote:**

**Aye:**    8 -    Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Absent:**   1 -   Patricia Horton

#### **Approval of the Consent Agenda with the exception of Items: 2, 3, 12, 26, 37, 39, and 40**

**A motion was made by Cynthia M. Santos, seconded by Barbara J. McGowan, to Approve the Consent Agenda. The motion carried by the following roll call vote:**

**Aye:**    8 -    Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Absent:**   1 -   Patricia Horton

## Meeting Summary

### Speakers

*George Blakemore, concerned citizen, voiced concerns. (Re: Finance Item #1)*

### Summary of Requests

*Kevin Fitzpatrick*

*Debra Shore requested a copy of the 2009 time management study. (Re: Finance Item #1)*

*Kevin Fitzpatrick*

*Mariyana T. Spyropoulos inquired if the same vendor was used last year. (Re: Procurement Item #17)*

*Manju Sharma*

*Mariyana T. Spyropoulos requested the new expiration dates of contracts be included in the report. (Re: Procurement Item #32)*

### Study Session

*None*

### Announcements

*None*

### Board Letter Submission Dates

**The next regular board meeting is scheduled for June 2, 2011, please prepare and submit Board items before the following absolute cutoff dates.**

**Date agenda items are due to the Director of Procurement and Materials Management for signature and preparation: May 23, 2011**

**Date Board letters are due to the Executive Director: 1:00 p.m., May 26, 2011**

## Adjournment

**A motion was made by Debra Shore, seconded by Barbara J. McGowan, that when the Board adjourns it adjourns to meet on Thursday, June 2, 2011, at 10:00 a.m. and that today's meeting be adjourned. The motion carried by the following roll call vote: /s/ Jacqueline Torres, Clerk**

**Aye:** 8 - Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Absent:** 1 - Patricia Horton

**APPROVAL:**

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this May 19, 2011, are hereby approved.

**APPROVED:**

/s/ Terrence J. O'Brien

President Board of Commissioners of the  
Metropolitan Water Reclamation District of Greater Chicago

May 19, 2011